

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KATHRYN COX, et al.,

Plaintiffs,

v.

CONTINENTAL CASUALTY
COMPANY,

Defendant.

CASE NO. C13-2288 MJP

ORDER DENYING
CONTINENTAL'S MOTION TO
DEPOSE DR. DUYZEND IN
SEATTLE

THIS MATTER comes before the Court on the Parties' LCR 37 Joint Submission regarding Continental's motion to depose Dr. Duyzend in Seattle, as opposed to in Europe or via videoconference from Europe. (Dkt. No. 65.) The Federal Rules require courts to pursue the "just, speedy, and inexpensive determination" of every case. Fed. R. Civ. P. 1. Here, the Cox Plaintiffs have offered to present non-party and United States citizen Dr. Duyzend for video deposition (or deposition in person in Europe, where he lives). Because the Court finds that Dr. Duyzend's deposition is "necessary in the interest of justice," 28 U.S.C. § 1783, Continental may

1 proceed via subpoena as described in FRCP 45(b)(30) and should make an election between the
2 two options (video deposition or in-person deposition in Europe) offered by Plaintiffs.

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4 The clerk is ordered to provide copies of this order to all counsel.

5 Dated this 5th day of June, 2014.

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9 Marsha J. Pechman
Chief United States District Judge